

Minutes of a Town of Riverhead Town Board meeting held by the town board of the Town of Riverhead at Town Hall, Howell Avenue, Riverhead, New York on Wednesday, January 19, 2011 at 7:00 p.m.

PRESENT:

Sean Walter,	Supervisor
James Wooten,	Councilman
Jodi Giglio,	Councilwoman

ALSO PRESENT:

Diane M. Wilhelm,	Town Clerk
Robert Kozakiewicz,	Town Attorney

ABSENT:

John Dunleavy,	Councilman
George Gabrielsen,	Councilman

Supervisor Walter: "Okay, are we ready? Let me know. You're driving this train."

(Some inaudible discussion)

Supervisor Walter: "All right, Ms. Wilhelm. Would you lead us in the Pledge of Allegiance, sir?"

(At this time, the Pledge of Allegiance was recited).

Supervisor Walter: "Everyone, welcome to the January 19th town board meeting. Rabbi Siemers, I think you're going to do the invocation tonight, and the microphone is there. Sitting, standing, what would you like? What's your pleasure?"

Rabbi Siemers: "Supervisor Walter, distinguished council of men and women, ladies and gentlemen, tonight is the 15th of Shabat in the Jewish calendar which makes it the new year for trees so happy new year.

At this time, we remember that all of creation is a gift, that

man was placed in the Garden of Eden, we were placed there, (inaudible) to guard it and to serve it and we are reminded that the goods that we have in this world are not ours just to consume but for ours to be caretakers for.

So we pray that the one who teaches (inaudible) wisdom will teach us wisdom and discernment, will guide us in the right paths and at this point we probably do have plenty of snow. Let us say amen."

Supervisor Walter: "Rabbi Siemers from Temple Israel, Riverhead. Thank you very much sir for doing our invocation. We appreciate your time and Jim says I have to do this soft shoe.

The 7:05 public hearing was canceled. Apparently some numbers in the official newspaper were transposed and are not correct so they have to be- everything is my fault, so we have to have a public- cancel the public hearing and we will do a notice at the next board meeting to re-hear it.

I don't know. Should we make Tim Gannon come up and sing or something because we have until- five minutes. I don't know, Tim Gannon singing."

Councilman Wooten: "Well, we want people to stick around."

Supervisor Walter: "This is true. Okay. Diane. Approval of the minutes."

Councilman Wooten: "I make a motion we approve the minutes of the town board meeting for January 4, 2011. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The minutes are approved."

Supervisor Walter: "Reports."

REPORTS:

Tax Receiver

Total tax collection dated

January 6, 2011 -
\$34,565,429.33

Total tax collection dated
January 13, 2011 -
\$47,582,312.42

Landmarks Preservation Commission annual report to town board for
2010

CORRESPONDENCE:

Sal Mastropaolo letter dated January 18, 2011
his suggestions regarding the
possibility of hiring of a
director for the dog shelter

Supervisor Walter: "Okay. Are there any reports- committee
reports? It's interesting. When I first started here- it's not
interesting to the public but I'll tell you the story.

This 47 million and 34 million dollars- I happen to bank at the
same bank, Suffolk County National Bank, so after I got elected I
went in to cash a check. They said, oh, you have plenty of money.
Because if you don't know your account number and they put your name
in, all the town accounts come up.

At that point, they said, oh, and by the way, you are over-
true story, you are overdrawn in these accounts. So it is
interesting that that is all you sign. As the town supervisor, you
are personally liable for all this money and I don't think I'll ever
get that close to all this money for as long as I live.

All right. That's the only story I have. I guess what we'll
do is take comments on the resolutions. Would anybody like to speak
on the resolutions? Yes, go ahead, sir."

Steve Romano: "Good evening. Steve Romano, Riverhead."

Supervisor Walter: "How are you doing, Mr. Romano?"

Steve Romano: "Good. How are you guys doing?"

Supervisor Walter: "Good."

Steve Romano: "Question on Resolution 56, the adoption of the garden. Have the rules, regulations and mechanics, who, what, where, when, have they been established and, if so, where would one find them? In other words, how would you apply if you wanted a plot? If you did get a plot and you started planting and you walked away from it, what would happen kind of thing."

Supervisor Walter: "I think— well, hold on, let me get to that."

What we're doing is doing a license agreement with the community gardens people and the town attorney has to draft the license agreement. I don't think that it's going to be that level of detail. These guys are 501C3 not for profit agency so we're kind of— this is a new thing for us and I think that we'll probably rely on our town attorney to draft something that gives us some flexibility but leave a lot of flexibility to the community gardens people.

So the short answer is, no, I don't think everything has been worked out, just the identification of the plot, the location, the concept and I can assure the board before we sign any license agreement with them I will give them a copy of it to take a look at it first."

Councilwoman Giglio: "And they are all very valid questions. I think what would be a good suggestion is to possibly put a community garden link to the website to where you can contact the people that know the availability of lots that are left and then you'll know how to get one."

Steve Romano: "Well, that would have been my question. My first question is how would one go about applying for I believe there was like 35 or 40 plots."

Councilwoman Giglio: "Yes."

Supervisor Walter: "I think that the— and I have to look in my book but the two ladies that were here will probably— I think they're the owners if you will of the not for profit (inaudible)."

Steve Romano: "So basically we're going to be dealing with that group rather than the town directly?"

Supervisor Walter: "Yes."

Steve Romano: "Okay. That- but at some point there would be contacts that citizens could contact that group?"

Supervisor Walter: "Absolutely. And I don't think that- it would be much better probably for you to deal with them than try to deal with the town. I mean if there's any issues or anything, obviously we all do constituent services and I'm frantically looking through my- Amy Davidson (phonetic), that was the name I was looking for. I think she's one of our point of contacts. If you talk to the deputy supervisor, she could give you the names."

Steve Romano: "Thank you."

Supervisor Walter: "If you're interested- "

Councilman Wooten: "And I'm sure they're going to have their rules and regulations and all that stuff, each grower."

Steve Romano: "Yeah. It sounds like a great program."

Councilwoman Giglio: "Retirement is good, huh, Steve?"

Steve Romano: "What's that?"

Councilwoman Giglio: "Retirement is good."

Steve Romano: "Yeah. I'm looking to get one of those garden plots."

Supervisor Walter: "What is the vegetable that I didn't know- sorrell (phonetic). Somebody better bring me some of that from this garden."

Steve Romano: "I have one other question in regards to resolution 64, it reappoints a member to the accessory apartment review board."

Several months back I came and I spoke to the board in regards to this review board. I know that they had lowered salaries, actually cut back the members, but I've got to tell you. Unless the results have changed, my recommendation would just to be to get rid of this because the last conversation I had, I think 10 people have

applied for permits.

I could be wrong. And if you run the numbers with our economic fiscal crisis that we have, it's probably costing town taxpayers about three or four thousand dollars per permit which makes absolutely no sense to me.

I know the intentions were well meaning. Again, unintended consequences is probably something that was good, that as far as I know just hasn't panned out."

Supervisor Walter: "I- we've been down the road. We were going to abolish it. I think we went as far as holding the public hearing to amend the code and the majority of the board decided not to abolish it.

If the board tells me that they'll vote differently, some of us felt similar to what you're saying, some of us felt that we shouldn't abolish it."

Councilman Wooten: "It really would require re-writing the entire town code."

Councilwoman Giglio: "Right. And not only that, but I feel it's important to have an independent board reviewing these applications rather than one person in the building department deciding who gets an accessory apartment and who doesn't.

And they also visit the site, they go and make sure there's ample room for parking so that the cars are not parked on the street. They make sure that the square footage is what it's supposed to be.

Some of those things are often caught on the accessory apartment review board level as the application is being advanced that aren't caught on the building department level."

Steve Romano: "You mean the board members themselves do this, they go out to the site?"

Councilwoman Giglio: "Yes."

Steve Romano: "Oh, okay. Just out of curiosity, have we had any increase in permit applications for the accessory apartment?"

Councilman Wooten: "We had three last month."

Councilwoman Giglio: "Yes, there have been. And- "

Councilman Wooten: "It's not the overwhelming we thought it would be but as long as there's some. It might come to the point where accessory apartment review might have to meet on a need basis."

Steve Romano: "Well, that was going to be my other recommendation. Couldn't you pay them per meeting and maybe they'd meet maybe on a quarterly basis?"

Councilman Wooten: (Inaudible).

Steve Romano: "Thank you."

Councilwoman Giglio: "Yes. But in response to that also. A lot of the applications that have been submitted, I've spoken to the people that have submitted accessory apartment review board applications and they're looked at immediately and they're approved almost immediately if they meet all the guidelines.

So it's actually a much quicker process than it would be if you were just going to the building department per se."

Steve Romano: "Thank you."

Public hearing opened: 7:13 p.m.

Supervisor Walter: "Okay. 7:10 having arrived, we have a public hearing. This is Chapter- consideration of a local law to amend Chapter 64 of the Riverhead town code entitled Fire Prevention Article III administration, Section 64-9 fire prevention permit fees. And this is an adjustment in our fee structure to bring it still less than the surrounding towns but in line with the surrounding- more in line with the surrounding towns.

Does anybody wish to be heard on this matter? Nobody wishing to be heard on this matter, why don't we close the public comment portion of this hearing and leave it open to written comment to Friday, if I'm doing this right, January 18th- not 18th, 28th, is that Friday, the 28th? It is Friday, the 28th, yes. So we'll leave it open for written comment to Friday, January 28th."

Public hearing closed: 7:14 p.m.
Left open for 10 days for written
comment to January 28, 2011

Supervisor Walter: "I think 7:15 has arrived. What do your folks think? Okay. Just waiting for our court reporter to--that's right-- what's your name? Okay you let us know when you are ready."

(Some inaudible comment)

Public hearing opened: 7:15 p.m.

Supervisor Walter: "Okay. We're going to open the public hearing scheduled for 7:15. This is a Chapter 54 public hearing to hear all interested persons regarding the alleged unsafe structure building at 77 Kay Road, Calverton.

It seems that this structure was involved in a fire. There was significant damage. It appears the owners may have walked away and the building is wide open and the town needs to take action and board the building up and render it safe.

And Mr. Davonski our fire marshal, if you would lead us in this chapter 54 that would be fantastic."

Scott Davonski: "Good evening everyone."

Supervisor Walter: "Good evening."

Scott Davonski: "We're here in regard to the fire damaged structure at 77 Kay Road, Suffolk County Tax Map No. 114.1-1-43."

Supervisor Walter: "Yeah, we should swear you in. Good idea."

Robert Kozakiewicz: "Raise your right hand. Repeat after me. Do you swear to tell the truth, the whole truth and nothing but the truth so help you God?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "Thank you. And for the record, your

name?"

Scott Davonski: "My name is Scott Davonski, D-A-V-O-N-S-K-I, chief fire marshal for the town of Riverhead."

Robert Kozakiewicz: "Okay. And I'd like to ask just a couple preparatory comments."

Supervisor Walter: "Go right ahead, Bob."

Robert Kozakiewicz: "When were you— can you please state for the record when you were hired by the town of Riverhead as chief fire marshal?"

Scott Davonski: "December of 2007."

Robert Kozakiewicz: "Okay. And you have been so employed in that capacity since that time?"

Scott Davonski: "Since that time, yes."

Robert Kozakiewicz: "Okay. And what are your duties as chief fire marshal for the town of Riverhead?"

Scott Davonski: "The enforcement of the fire prevention code Chapter 64 of the town along as the town code, excuse me, the New York State fire prevention and zoning code."

Robert Kozakiewicz: "And do you have to attend classes for training in order to be certified as a fire marshal?"

Scott Davonski: "I'm a New York State certified code enforcement official as required by the Civil Service requirements and the Department of State of the State of New York. Annually we have to go through— we go through the initial training and annually we have to take 24 hours of in service training credits."

Robert Kozakiewicz: "Prior to working for the town of Riverhead, did you work in a similar capacity with any other municipality?"

Scott Davonski: "I worked for 13 years for the town of Southampton as a fire marshal."

Robert Kozakiewicz: "Okay. I'm going to let him now go into a little bit of narrative if I may. Thank you."

Scott Davonski: "Okay. So the property in question was damaged by fire on October 27th of 2010, two pictures of when the fire was actually occurring on the property.

Since that time, the property is actually in the foreclosure process. The bank and the property owner are still in court from the title-- from the conversations I've had with the mortgage holder which is GMAC.

I was working with them to try and get them to secure the property. They-- to this date, there's been no action on that.

December 16th was when the process actually started to go formal to try to get them to rectify the issue. You will note by looking at the picture on the screen and in the power point that was handed out that the front windows of the building are broken out which happened during fire suppression operations. The soffit on top is actually burned out and if you look at the back part of the structure which is where the main volume of fire was when the fire occurred on the property, it is still open to the elements, with severe structure deficiencies as you can see.

A follow up inspection was conducted on December 17th at which point the notice of violation that was sent to the mortgage company, to the mortgage holder, because he still is on the deed for the county, as well as the attorneys that were representing the case all received a copy of the notice of violation.

They were sent out via certified mail and all signed for.

They received the notice actually posted on the property as well as the official postings to keep out of the property, no trespassing and the red placard is the section of the New York State Fire Prevention and Building code which is a violation.

The public hearing which we're here for tonight was posted on the property on January 3rd, 2011. You will note that there's no change to the property between the past couple photos. The front windows are still broken out, the front door is still open and the rear of the building is still severely damaged.

Okay. The last inspection I did on the property, actually I did one today, I did a drive by to make sure that nothing was done on the property but yesterday when I was at the site, you could notice all the snow to prove I was there yesterday, you'll see that nothing has changed on the property. The front, you know, is still open to the elements, and there's a better picture of the rear of the building. Like I say, that's where the majority of the fire damage occurred during the fire suppression."

Robert Kozakiewicz: "Now going back to October 27th, you were present when the fire was underway?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "Okay. And when you also present when the fire was totally put out and under control and you performed an inspection of the premises at that time, is that right?"

Scott Davonski: "Yes. Correct."

Robert Kozakiewicz: "And I know you testified to the condition. It was accessible to the general public, people can gain entry?"

Scott Davonski: "Correct."

Robert Kozakiewicz: "There's been- there were no boards or anything else placed at that time on October 27th, is that right?"

Scott Davonski: "No, sir."

Robert Kozakiewicz: "Okay. And is it in the same condition when you posted the property with the notice of violation on December 17th?"

Scott Davonski: "Yeah. There have been no changes."

Robert Kozakiewicz: "And you personally were present, you inspected the premises. Is that correct?"

Scott Davonski: "Correct."

Robert Kozakiewicz: "Again. No boarding of the premises?"

Scott Davonski: "Correct."

Robert Kozakiewicz: "And accessible to the general public?"

Scott Davonski: "That is correct."

Robert Kozakiewicz: "Now the structural deficiencies that you described, can you go into a little further detail as to what you observed?"

Scott Davonski: "If you look at the rear portion which is the most fire damaged area of the building. The roof structure on the entire would be the northern part of the building is actually completely burned away. You can see part of the roof structure here, you can see the majority of the roof is actually missing.

The interior structural elements supporting the remainder of the walls what are in there, obviously suffered major structural damage as a result of the fire. You know, so at this point with the remaining roof intact, the loads will not be supported properly for that building at this point."

Robert Kozakiewicz: "And the conclusion that you just stated, that the roof cannot be supported is based upon- the loads are not able to be supported, that's based upon your training as a code enforcement official?"

Scott Davonski: "That is correct, sir."

Robert Kozakiewicz: "Okay. And also based upon your experiences that you previously testified to?"

Scott Davonski: "Correct, sir."

Robert Kozakiewicz: "Now with regard to the posting that was done in connection with the Chapter 54, who handled that, the posting?"

Scott Davonski: "I did the posting."

Robert Kozakiewicz: "And do you have an affidavit of posting that you made as a result of the posting (inaudible)?"

Scott Davonski: "Yes. I would testify that yes I did post

the property."

Robert Kozakiewicz: "Now, did you also send notices to the property owners?"

Scott Davonski: "Notices were sent to the property owners, yes."

Robert Kozakiewicz: "And do you have those with you today?"

Scott Davonski: "Yes, I do."

Robert Kozakiewicz: "Okay. I'd like to have those admitted into evidence as number 1, Town of Riverhead number 1.

And did you also prepare a report of your findings?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "Okay. And do you have that with you today?"

Scott Davonski: "Yes, I do."

Robert Kozakiewicz: "And was that prepared by you in your usual and ordinary course of your duties as chief fire marshal?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "And did you, in fact, prepare it in the ordinary and usual course of your duties as chief fire marshal?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "And was it prepared at or about the time you conducted your inspection of the premises at 77 Kay Road, Calverton?"

Scott Davonski: "The report was actually generated on January 5th."

Robert Kozakiewicz: "Okay. I would like to ask that that also be admitted into evidence as Town of Riverhead number 2 in connection with Chapter 54.

And just for the record, the location, 77 Kay Road, which is also known as tax map 0600-115.1-01-43, is that located in the town of Riverhead?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "County of Suffolk?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "State of New York?"

Scott Davonski: "Yes, sir."

Robert Kozakiewicz: "Thank you. And based upon your observations and the condition of the premises today, what is your conclusion as to what should be done with this property pursuant to Chapter 54?"

Scott Davonski: "Based upon the fact that there have been no changes at the property since the day the fire damage occurred to the building and with the structural deficiencies as well as the accessibility that the building has to the general public, my recommendation is that the building be secured and/or demolished."

Robert Kozakiewicz: "Thank you. Anything else from anybody else?"

Supervisor Walter: "Is it possible to secure the building in this (inaudible)?"

Scott Davonski: "Most likely not, just based upon the amount of damage to the rear of the building. You can see that's going to be very difficult to secure. The only possibility would be fencing around the front part of the building."

Supervisor Walter: "So we should immediately- once we adopt this- fence the building and secure it as best we can because we basically have to put a bid for a contractor to knock this down."

Scott Davonski: "Correct."

Robert Kozakiewicz: "You did testify- I'm sorry- that you had communicated with individuals. Was that by telephone?"

Scott Davonski: "It was be telephone, via e-mail and via fax."

Robert Kozakiewicz: "Okay. And those efforts have been unsuccessful, is that correct?"

Scott Davonski: "The e-mail I got today from the young lady at GMAC Mortgage, may I read it?"

Robert Kozakiewicz: "I would do so. If the town board is okay with that?"

Scott Davonski: "Hi Scott: I have submitted the demo bids to the investor and they have not yet provided a response. I have sent a follow up request. I am waiting on the response from the attorney so I can approve for them to appear at the hearing tonight."

Supervisor Walter: "Is anybody here from the bank or anybody related to this 77 Kay Road? Nobody raised their hands. Neighbors? Okay, but no owner or anything like that? Okay."

Scott Davonski: "To continue on. Do you have an estimated time frame for the day the demolition will be set after the hearing if it's determined to proceed with the demolition and what the estimated cost will be. Thanks. Sorry for the delay but my hands are tied. Have a great day. Nicki Zaleski, GMAC Mortgage, Major Violations and Demolitions."

Robert Kozakiewicz: "Thank you."

Supervisor Walter: "It's unfortunate for them because this goes on the tax bill."

Councilman Wooten: "I just have one question for you, Mr. Davonski. You were there at the fire on October 27th?"

Scott Davonski: "That is correct."

Councilman Wooten: "You responded. Was the house habitable at the time? I mean, was there people in the house?"

Scott Davonski: "There was nobody at the house at the time of the fire."

Councilman Wooten: "It was abandoned at that point?"

Scott Davonski: "Correct. It was in the foreclosure process."

Councilman Wooten: "So the bank had possession at that time."

Scott Davonski: "It was in the process."

Councilman Wooten: "Okay. Just pushed it over the edge I guess. All right. Thank you."

Supervisor Walter: "Is it a suspicious fire?"

Scott Davonski: "It's currently under investigation."

Supervisor Walter: "Okay. I won't go any further than that."

And in your professional opinion, this is an unsafe structure and it needs to be boarded up and/or taken down?"

Scott Davonski: "Correct."

Supervisor Walter: "Okay. I don't have anything else. Does the board have anything else to add?"

All right. Does anybody else wish to be heard on this? We're looking for testimony not that it looks bad, we're looking for testimony that it's unsafe, it's not boarded up. And you can speak, but that type of testimony. Unsafe, it's not boarded up, people can get in. We know it looks bad. But go ahead, you can testify. I'm sorry. Go ahead. No, you have to step up, we have to swear you in."

Scott Davonski: "If I may for one moment, I'd like to also submit into evidence the copy of the certified deed from Suffolk County with the property owner and the mortgage company."

Supervisor Walter: "Okay, thank you. That would be-- we'll mark that as-- "

Robert Kozakiewicz: "That would be town number 3."

Supervisor Walter: "Okay, miss. Go ahead."

Dorothy Madonia: "Hi. Dorothy Madonia, 74 Kay Road."

Robert Kozakiewicz: "And I'm going to ask you to raise your right hand. And do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Dorothy Madonia: "Yes, I do."

Robert Kozakiewicz: "Thank you."

Supervisor Walter: "Just spell your last name?"

Dorothy Madonia: "M-A-D-O-N-I-A."

Supervisor Walter: "Thank you."

Dorothy Madonia: "I live directly across the street from it so I've had to look at it since the day it went on fire. And as you can see from the pictures, it's really not even half a house anymore. So I'm really hoping that it will be demolished, you know."

I mean, right now it's winter and the children aren't really, you know, interested. Once the spring comes, we'll have a problem."

Supervisor Walter: "What happens with our process is we have to go out to public bid unless the highway department wants to do it, and once we go out to public bid, it takes- we have to prepare a bid package for 30 days. We'll probably be in a position and I hate to say this, late winter to do this. We can send somebody once we leave this open for written comment and then at the next board meeting we would probably if the board is poised to do it adopt a resolution to immediately board the property as best we can and then prepare the bid specification and in the interim, you know, we do usually have conversations with the highway superintendent to see if this is a structure that he can take down and then we pay him the wage rates that are set to take it down."

So it takes us a little bit of time, bear with us."

Dorothy Madonia: "Oh, I understand, this is- right now, forget it."

Supervisor Walter: "We'll get it done."

Councilman Wooten: "Ma'am, your house is similar to this one?"

Dorothy Madonia: "Yes. I have (inaudible)."

Supervisor Walter: "I hope it doesn't have that big hole in the roof."

Dorothy Madonia: "No, I don't have a hole in the roof."

Councilman Wooten: "Do you know if there's a basement in that house or is that on a slab?"

Dorothy Madonia: "Actually when the builder built the homes back in '73, he offered, you know, options for basements if you wanted it."

Councilman Wooten: "Do you know if that has one?"

Dorothy Madonia: "So my house has a basement."

Councilman Wooten: "Does that one, do you know?"

Dorothy Madonia: "No."

Councilman Wooten: "It does not. It's on a slab."

Dorothy Madonia: "It's on a slab."

Councilman Wooten: "That makes it easier. Okay."

Supervisor Walter: "Okay. Thank you very much."

Dorothy Madonia: "Thank you."

Supervisor Walter: "We appreciate your time."

Councilman Wooten: "Geo, can I borrow one of your bulldozers?"

Supervisor Walter: "That could be a good- fun job. Come on, I'd be better on a bulldozer than him."

Councilman Wooten: "Only if you're under it."

Supervisor Walter: "Oh. Strike that from the record. Go ahead, miss."

Susan Syrewicz Keeney: "Good evening. I'm Susan Syrewicz Keeney. I own the house- "

Robert Kozakiewicz: "Susan, I'm going to ask you to do the same thing."

Susan Syrewicz Keeney: "Okay, Koz."

Robert Kozakiewicz: "Raise your right hand. Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?"

Susan Syrewicz Keeney: "Absolutely."

Robert Kozakiewicz: "Thank you."

Supervisor Walter: "Miss Keeney, what brings you here today?"

Susan Syrewicz Keeney: "I own the house just south of this 73- we're at 73, my daughter and grandchildren live at that house that I own. And I just want to say that I'm glad that this is in process of what you're doing, you're a good board. And I know you are going to do the right thing and I know Geo and his group can just take a bulldozer and go clunk and it will be just like on TV, you know- "

Supervisor Walter: "Sue, go sit next to Geo and butter him up a little bit before we have that conversation."

Susan Syrewicz Keeney: "I can always bring up some baked goods to him or something, you know, whatever, or coffee. But it really is in a terrible shape and I know there are animals that are there, you know what I'm saying. And I'm so afraid.

I have a six year old grandson and he likes to wander sometimes and having that next door like that I am concerned. We do watch him but I'm quite concerned. And there are other small children in the area."

Supervisor Walter: "I suspect the board will take action at the next board meeting with regard to this and the residents will be

happy I'm sure with our action.

As I said, it may take a little bit of time to do it but we will do it."

Susan Syrewicz Feeney: "I know, but you're doing good. I'm very pleased and I thank you."

Supervisor Walter: "Thank you. Does anybody else wish to be heard on this matter? Seeing no hands, we will close the public comment portion of this meeting and leave it open for written comment until January 28th, Friday, January 28th at 4:30 in the town clerk's office.

And I think the board will make a decision on- I think it's the February 1st or 2nd meeting- 1st I think it is. Okay. Thank you.

Mr. Davonski, thank you very much."

Public hearing closed: 7:31 p.m.
Left open for written comment for
10 days to Friday, January 28, 2011

Supervisor Walter: "What we'll do is we'll reopen the town- "

Robert Kozakiewicz: "Do you want to take a little break to let our steno sneak out?"

Supervisor Walter: "Yeah, we're done. Thank you. All right."

Robert Kozakiewicz: "We'll take a little break so we can (inaudible). Is that all right?"

Supervisor Walter: "Go right ahead. Rex Farr out there, a union boss, Mr. Hanley, I see them all over there. We've got Newsday here today. He's not awake, he doesn't even know we're talking about him. Mitch, you awake over there? This is for the public, this is the entertainment portion of the town board meeting. All right. Okay, does anybody wish to be heard on the resolutions? Nobody else wishing to be heard on the resolutions. Okay, then,

Diane, call the resolutions."

Resolution #42

Councilman Wooten: "42 water district Estate of Rolle land acquisition capital project budget adjustment- budget adoption. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #43

Councilwoman Giglio: "Authorization of the Riverhead IDA economic job development corporation. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #44

Councilman Wooten: "Awards bid for abandoned/junk vehicles. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #45

Councilwoman Giglio: "Appoints a chaplain to the police department, Mr. Bonocore. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "Welcome aboard, Deacon Bonocore. I don't know if that's our first police chaplain-- this is a kind of historic moment. We've appointed a police chaplain, so that's pretty neat."

Resolution #46

Councilman Wooten: "Extends bid contract with Burt's Reliable Fuel. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #47

Councilwoman Giglio: "Authorization to publish advertisement for removal of household hazardous waste (Hazmat) for the Town of Riverhead. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #48

Councilman Wooten: "Authorization to publish advertisement for municipal solid waste for the Town of Riverhead. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #49

Councilwoman Giglio: "Authorization to publish advertisement for surplus unscreened compost (mulch) for the Town of Riverhead. So moved."

Councilman Wooten: "Second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #50

Councilman Wooten: "50 appoints a part time recreation aide-volleyball attendant to the recreation department. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #51

Councilwoman Giglio: "Appoints a part time recreation aide-volleyball official to the recreation department. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #52

Councilman Wooten: "52 ratifies and sets salaries of various recreation/youth bureau employees for the year 2011. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #53

Councilwoman Giglio: "Sets the fees for usage of recreation and other town facilities. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #54

Councilman Wooten: "54 sets salaries of various recreation employees for the year 2011. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #55

Councilwoman Giglio: "Sets salaries for 2011 part time/call in personnel for the Riverhead recreation department. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The

resolution is adopted."

Resolution #56

Councilman Wooten: "56 adopts a community garden located at West Main Street, Riverhead described as SCTM# 0600-128-3-72.1 and authorizes the supervisor to execute license agreement with River and Roots. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #57

Councilwoman Giglio: "Adopts a local law amending Chapter 108 entitled zoning of the Riverhead town code.

We were-- are we going to-- oh, this was just a correction."

Supervisor Walter: "Housekeeping."

Councilwoman Giglio: "So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #58

Councilwoman Giglio: "I would like to table this resolution. So I make a motion to table the resolution."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please, as to table."

The Vote: "Giglio, yes; Wooten."

Councilman Wooten: "This is to table for further discussion. Yes to table."

The Vote (Cont'd.): "Walter, no."

Diane Wilhelm: "So this is not tabled."

Councilman Wooten: "So we've got to go-- then I will offer it. If it's not tabled, then I will-- authorize the supervisor to execute a stipulation with Local 1000, AFSCME, AFL-CIO, Riverhead unit of Suffolk Local. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio."

Councilwoman Giglio: "This was e-mailed to me sometime over the weekend I'm told by the chief executive-- chief of staff. I saw it for the first time at 4:00 this afternoon. I think it should have been discussed in executive session on Thursday."

We've had plenty of time since December 27th until now to discuss this. This is giving all the employees from the town of Riverhead a day off on December 27th because of the snow. I think that if that were the case, then it should have been deemed a snow emergency and I wouldn't be asked to vote on this tonight.

So I'll abstain."

The Vote (Cont'd.): "Wooten."

Councilman Wooten: "This pretty much is SOP. I mean we've done this before, it's rare that we-- "

Supervisor Walter: "Didn't we do it the last snow-- "

(Inaudible comment)

Councilwoman Giglio: "That was when the supervisor-- "

Councilman Wooten: "(inaudible)-- so I'm going to vote yes although it doesn't matter at this point."

The Vote (Cont'd.): "Walter, yes. Resolution not adopted."

Resolution #59

Councilwoman Giglio: "Authorizes the supervisor to execute a musical works license agreement with SESAC LLC. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #60

Councilman Wooten: "Authorizes antennas for Riverhead Ambulance at the EPCAL site in accordance with East End Wireless lease agreement. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #61

Councilwoman Giglio: "Approves the renaming of the southern portion of Horton Avenue, a town of Riverhead road, to Horton Avenue South. So moved."

Councilman Wooten: "Seconded."

Supervisor Walter: "(inaudible) discussion. Didn't somebody come forward and say they wanted to name it Caffrey Road (phonetic). Did you get that resolution?"

Councilman Wooten: "Well, that was a letter that John had

gotten from-- that he read into the record about two meetings ago."

Councilwoman Giglio: "Who is Caffrey?"

Councilman Wooten: "They live on this dead end road that was created (inaudible). And it was Caffrey's farm that that property was on (inaudible)."

Councilwoman Giglio: "Can we table this?"

Supervisor Walter: "I'm not going to vote for it because I think-- I think she said there's two or three houses so you want to withdraw your moving of it and move to table? That would be fine."

Councilwoman Giglio: "Yes. I'd like to do that."

Supervisor Walter: "All right. So why don't we make a motion to table-- bring a motion to table."

Councilman Wooten: "I'll second to table."

Supervisor Walter: "Okay, so you're moving to table; you're seconding. Vote on tabling it."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution has been tabled."

Supervisor Walter: "You're going to have to republish it so that (inaudible). Are you in favor of Caffrey? That was the letter received. So if the board-- Tara, if you could put this back on for the 27th to discuss that, that would be good.

Okay."

Resolution #62

Councilman Wooten: "62 authorizes the waiver of 30 day notification required by the New York State Liquor Authority. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Supervisor Walter: "This is for the Riverhead project or formerly- well, I wouldn't say formerly, but the Frisky Oyster, Dennis McDermott, this is the new bar restaurant he's opening up in the Chase building."

Resolution #63

Councilwoman Giglio: "Authorizes the law office of Richard Ehlers to act as special counsel and authorizes the supervisor to execute a retainer agreement. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #64

Councilman Wooten: "Reappoints member to the accessory apartment review board. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #65

Councilwoman Giglio: "Authorizes the release of security of Gendot Homes, Inc. a/k/a Osborne Acres subdivision, water key money and park and recreation fees. So moved."

Councilman Wooten: "I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The

resolution is adopted."

Resolution #66

Councilman Wooten: "Authorizes the release of site plan security of Broadview Ventures, Inc. a/k/a Jr. Irrigation. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. The resolution is adopted."

Resolution #67

Councilman Wooten: "67 is resolution to pay bills. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten."

Councilman Wooten: "Imagine if I said no and we don't pay the bills. Yes."

The Vote (Cont'd.): "Walter, yes. The resolution is adopted."

Diane Wilhelm: "And we have two from the floor."

Supervisor Walter: "Two from the floor."

Diane Wilhelm: "It would be 68 and 69, the SEQRA."

Supervisor Walter: "And 69 would be (inaudible)."

This is for our new— the town is going to be looking at selling bonds to install a wind turbine that will supply 40% of the power— current power requirements of the Riverhead sewer district and this authorizes us to sell the bonds to do it and 68 is the SEQRA

determination. Sixty-nine authorizes us to have the public hearing for the sale of the bonds and the public hearing will be held on February 15th at 7:05.

And the neat thing about this is this wind turbine within eight years will have— in eight years it will have paid for itself and in the year nine will start generating money for the ratepayers of the Riverhead sewer district. So it's kind of a neat thing and can we—
"

Councilman Wooten: "Oh, we're just going to make sure that when the turbine goes around, it blows over the sound."

Supervisor Walter: "That being said, can we— "

Councilman Wooten: "And 68 is the resolution calling for a SEQRA determination?"

Supervisor Walter: "Sixty-eight SEQRA, 69— if we could move both off the floor, that would be great. Can we get a motion to pull both of them off the floor?"

Resolution #68

Councilman Wooten: "I make a motion we move Resolution 68 and 69 off the floor. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes.
Resolutions 68 and 69 are taken off the floor."

Supervisor Walter: "Okay, let's move on them."

Councilwoman Giglio: "I make a motion to adopt Resolution #68 which is the SEQRA determination prepared by Joe Hall of the town of Riverhead planning department. So moved."

Councilman Wooten: "And I'll second."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. Resolution 68 is adopted."

Resolution #69

Councilman Wooten: "I'd like to move Resolution 69 to increase and improvement of the facilities of the Riverhead sewer district in the town of Riverhead, Suffolk County, New York and call for a public hearing. So moved."

Councilwoman Giglio: "And seconded."

Supervisor Walter: "Moved and seconded. Vote please."

The Vote: "Giglio, yes; Wooten, yes; Walter, yes. Resolution 69 is adopted."

Supervisor Walter: "Okay. We'll open the meeting up for comments from the public for five minutes on any subject they wish to discuss. Good evening."

Dominique Mendez: "Hello. Dominique Mendez, Wading River, Riverhead Neighborhood Preservation Coalition."

And I'm going to be brief. I just wanted to confirm something really. The last town board meeting, Sean, you stated that the attorney's office is looking into the use issue on Great Rock, basically if the expansion would require a special permit for an expansion of a non-conforming use from the town board, and you mentioned that that would be in writing. There will be a formal opinion from the attorney's office."

Supervisor Walter: "Yes."

Dominique Mendez: "And I just wanted to— I assume but I wanted to confirm, that that must mean that the planning board will not move forward with a resolution until that issue has been resolved and a formal report has been done."

Supervisor Walter: "Bob, I think that's a fair assumption. We're still waiting—"

Dominique Mendez: "It seemed like a good assumption but I wanted to confirm."

Robert Kozakiewicz: "I know that the planning board is looking for some clarification of that issue."

Dominique Mendez: "Right. And they wouldn't vote until-- okay, that's it. Great, thank you very much. That they wouldn't vote on it until that and it would be in writing also, an opinion. That's what Sean had mentioned last time."

Supervisor Walter: "Yes. We'll have a written opinion."

Dominique Mendez: "Great. Thank you very much."

Supervisor Walter: "Thank you."

Steve Romano: "Steve Romano, Riverhead. Resolution 58. If I would have known the stipulation was as Councilwoman Giglio stated, I would have come up to make some comments."

The last time the town did this, they're correct, it was 2009, and I spoke at the following meeting to say I disagreed with the free day off. I was told that the supervisor called a state of emergency for the town and that was the real reason to give the free day off.

At the time, I recommended why not allow employees to charge off vacation, personal or sick or even if they didn't have that, how about you give them the day off but they make up the seven or eight hours working an hour extra each day.

So I disagree. I know it's a moot point but I just wanted to make that point."

Supervisor Walter: "Thank you."

Steve Romano: "Okay. Second question I had in regard to 77 Kay Road. Just out of curiosity. If the town does the demo work and say there's a \$2,000 bill, if it goes on the tax bill won't it be on the following year tax bill? And the reason why I'm asking. Suppose somebody comes along and purchases the property, who pays the tax-- wouldn't it be-- they're going to get penalized?"

Supervisor Walter: "In a foreclosure, taxes receive priority, so even if the bank bought the property back, the bank will be responsible to pay the taxes to the county. But what happens is,

we'll put it on the tax bill. Chances are the tax bill won't be paid.

The County of Suffolk pays the town of Riverhead for that portion of the taxes including this and when that property is ultimately sold, when the referee ultimately sells the property, the bank will be responsible to pay the taxes or the owner. It comes-- it is a priority. It does get paid. It gets paid ahead of the mortgage."

Steve Romano: "Very good. The only question-- anybody contact-- is there insurance on this property, an insurance company?"

Supervisor Walter: "I'm sure the bank probably has its own insurance."

Steve Romano: "Yeah. And just a curiosity question. As the hotel is going up, it's great, the other end, what happened to Summer Wind? I thought that was like a given project, a grant from the county."

Supervisor Walter: "Just signed the mylars-- "

Councilwoman Giglio: "And the building permit was just issued last Thursday so now the closing can occur with the county and demolition should start shortly."

Steve Romano: "Oh, great. That's going to be great. Thank you."

Robert Kozakiewicz: "It was a little bit of which comes first, the chicken or the egg."

Steve Romano: "I thought maybe the project got kind of like canceled. That's great."

Robert Kozakiewicz: "That's still very much going forward."

Steve Romano: "Great, thank you."

Supervisor Walter: "Anybody else? Rex Farr. How are you going, sir? How are you feeling?"

Rex Farr: "I've been asked to speak on behalf of Pat Lynch

and Gail Wallers (phonetic), also certainly on my own behalf."

Supervisor Walter: "Wait. Can I give you some really good news that I just got?"

Rex Farr: "Go ahead."

Supervisor Walter: "We- and it's not really a press release but Carol gave this to me and this happened like at 5:30, thank you Sharon.

I'm going to share it right now. We've- I've asked Carol as I've said, you can take a look at it- I've asked Carol to look for veterinarians to come into the animal shelter to care for the dogs and she's been calling different vets and there's- at Riverhead Animal Hospital, this Dr. LaCar (phonetic) has agreed to come in for \$28.00 a dog to look at every door and we've sort of deemed this as an emergency given the circumstances of the things we know that some of the dogs have had, and things that people have alleged the dogs have had. So I've asked her to set that up for the first half of the dogs to be screened on Friday and as soon as Dr. LaCar can do the next half, we'll do it the next half of the dogs.

And my goal is this. To put- listen, nobody is happy about what happened with Bruno, least of all me. But if something positive can come out of this, let this be a wake up call to me and the town. We will have veterinarian service for these dogs while they're in that shelter.

So we've asked Dr. LaCar from again the Riverhead Animal Hospital to come speak to the board on the 27th to talk about what type of services he can offer and have him come in and, if the board so chooses, have him come in on a regular basis. I don't know whether it would be once a month or every two weeks to evaluate the dogs.

And honestly this just happened by text messages by about (inaudible)."

Councilman Wooten: "I don't know if he has to come in every two weeks."

Rex Farr: "Well, that is good news I suppose but it's only part of the solution. And, Sean, I can appreciate it because you've

only been on this issue for about a year. We've been fighting this issue close to six years intensely and a hell of a lot longer than that.

And the irony of the whole situation is that if we run our animal shelter properly, we're talking about being involved in a \$30 billion dollar business.

You make that shelter friendly to the volunteers and the only way you're going to do that is to solve the problem at the top. Do I have to be any more explicit?"

Supervisor Walter: "No."

Rex Farr: "I'm not asking for the gentleman and I use that word very loosely in Lou's case, very, very loosely. He's almost a despicable human being."

Supervisor Walter: "Oh, come on, Rex."

Rex Farr: "Anyway if you run that shelter- excuse me, properly, again, you can- it will pay for itself but you have to- you're going to have to do something at the top.

And I'm here to remind you that as I said to Councilman Wooten way back when, we want a resolve to this situation. This has been going on far too long.

We're not asking for a firing. We're not asking for a reduction in seniority. We're not asking for a reduction in pay. This is not going to cost the town a dime."

Supervisor Walter: "Rex, we're- I won't discuss it more but we're working on several things."

Rex Farr: "Good. That was my question. What is your timetable here, ladies and gentlemen?"

Supervisor Walter: "Well, fairly quickly. My issue is this. I've been at this 13 months. Obviously I don't want to do battle with the people- the animal lovers. I mean I have a dog, I have a cat; I have a three legged cat."

Rex Farr: "Great, Sean, I'm glad to hear it."

Supervisor Walter: "You know, I'm not the enemy and I realize that the bottom line in all of this is we're not properly caring for the animals."

Rex Farr: "That's an understatement."

Supervisor Walter: "And for as long as we have the animals in the shelter, they will receive proper care, period."

Rex Farr: "You can't guarantee that. It hasn't happened in the past, Sean."

Supervisor Walter: "It's going to happen."

Rex Farr: "It has not happened in the past as recently as a month ago. And grant it, you may have been lied to, but that's inexcusable."

Supervisor Walter: "Friday- "

Rex Farr: "Sorry, Happy New Year."

Supervisor Walter: "Friday the vet will be there and he will go through these- the first half of the dogs. He may come back before that- "

Rex Farr: "Can I make another suggestion?"

Supervisor Walter: "The following Thursday, this will be on Wednesday."

Rex Farr: "Pay attention to the committee that was put into place. People that have actually gone to seminars to help the town of Riverhead to run a shelter properly."

Supervisor Walter: "I understand."

Rex Farr: "I hope you do."

Supervisor Walter: "Thank you."

Rex Farr: "Thank you."

Matt Hattorff: "Matt Hattorff."

Supervisor Walter: "Where are you from, Mr. Hattorff?"

Matt Hattorff: "Riverhead. I'm the president of CSEA, town of Riverhead employees."

On the 2009 storm, the state of emergency was lifted at 8:30 in the morning and the supervisor didn't close town hall. That was the reason for that stip.

And as far as the animal shelter, I'll leave that along for another day."

Councilman Wooten: "That's a good idea."

Matt Hattorff: "It's just- we'll leave it alone."

Supervisor Walter: "We'll work through the issue. Does anybody else wish to be heard? Yes, sir."

Dr. Frank Mosca: "Good evening, Dr. Frank Mosca. I'm president of RSVP. And I'm here to second what Rex Farr has said."

We've been at the process of attempting to right the wretched and inexcusable conditions at the animal shelter for many years. We've done our best to be rationale, we've done our best to be cooperative, we've done our best to operate within the rules and regulations of the town.

We've been (inaudible) the town over and over again in order to change procedures that were inhumane. We've made a small amount of progress in that direction but as Rex has indicated, there have been elements at the shelter and in particular one individual who simply refused to cooperate in the implementation of humane procedures that by the way obtain in all the other towns out here on the east end.

It has been remarkable to me to observe over the years the enormous amount of time spent by the members of the various boards that I've appeared before to take care of an animal shelter. Surely the taxpayers of this town deserve better than to have all of you occupy your precious time in a town that requires a great deal of attention with what goes on in an animal shelter.

Something that could have been taken care of years ago, by simply a rational engagement by looking by example to your

neighboring towns to see what was occurring there and how easily a rational solution was able to be found.

We are at a juncture I am hoping where the evidence at hand has finally accumulated to a critical point and where there is sufficient amount of rationality and goodwill so that real changes may be forthcoming.

We are, however, as patient as we are and as hopeful and hoping in the goodwill and the rationality of the members of the board, we are not endlessly patient and so the board should be aware that we are looking carefully and observing and will be vigilant unendingly until such time as humane conditions are implemented at that animal shelter and that people can be assured in the town of Riverhead that their representatives have attended to it and that in an ongoing fashion the animals who do end up in that facility are humanely cared for, are veted and are whenever possible adopted out."

Supervisor Walter: "You have my attention. I will tell you that Dr. LeCar- this is the notes that we're going to be treating the dogs for hookworms, whip worms and intestinal parasites and any other necessary tests that need to be.

I find it inexcusable that I may have dogs in the shelter that have parasites, that have heartworm. I don't know why it took so long to have regular veterinarian care. That will be taken care of.

And there are points that we will- you have- we'll have an open dialogue. There may be points that we don't disagree but we'll always have an open dialogue. I think you know Carol Sclafani (phonetic) from my office. You may or may not know her.

This is not usually something that- as you said, you want- the board doesn't necessarily want- we want it to work properly. We don't want to spend an exorbitant amount of time on this but we will get it- Dr. Mosca, we will get it to work properly. And we're working towards it."

Councilman Wooten: "And, Frank, I would expect nothing less than your diligence and your continued striving towards what you and I both know have to be done at that shelter.

And it's more than just making sure that the animals are medically safe although that's paramount. But it's also a structure

and more willingness to engage volunteers and to make it a more community oriented.

So yet there is a second prong we're not addressing on this level or at least (inaudible) but we are addressing as a board."

Dr. Frank Mosca: "Well, I'm glad to hear that. Just to reiterate again that you have a very passionate group of intelligent people who have eyes on the shelter- "

Supervisor Walter: "I hadn't noticed, doctor."

Dr. Frank Mosca: "-- who will not rest until such time as they are satisfied that humane conditions have been implemented and that there are structures in place to make sure those humane conditions are sustained."

Councilman Wooten: "There are several things going on right now that all, in totality, will probably address every one of your issues. And I know what they are."

Dr. Frank Mosca: "Yes, okay, very well. Thanks for your time."

Supervisor Walter: "Thank you, sir. What type of doctor are you?"

Dr. Frank Mosca: "Psychologist."

Supervisor Walter: "Oh, wait, I could use some work there."

Matt Hattorff: "How many times has the animal shelter, the dog pound, whatever you want to call it, how many times has it failed a state inspection in the last 10 years??"

Supervisor Walter: "Never."

Matt Hattorff: "Never."

Supervisor Walter: "Not as far as I know."

Matt Hattorff: "I mean as inhumanely as those animals are being treated as per volunteers are claiming- "

Supervisor Walter: "Nope. From a state standpoint, we run a very- and actually we've received high marks from the state on that animal shelter."

Matt Hattorff: "So anything we do above and beyond that is just that. It's above and beyond that. And it's spending taxpayers dollars that really aren't necessarily spent but it's the right thing to do."

Councilman Wooten: "But, Matt, it's much bigger than that."

Matt Hattorff: "No, it's not much bigger than that."

Councilman Wooten: "Sure it is."

Matt Hattorff: "I sit here and I listen to these guys, all they do is bad mouth the people that work there. If they were that bad, you would have gotten rid of them a long time ago. A long time ago."

Supervisor Walter: "We'll work through it, Matt."

Councilman Wooten: "We'll make sure we do that. All right."

Supervisor Walter: "All right. Does anybody else wish to be heard?"

Councilman Wooten: "We'll take care of it right quick. You'll get your wish."

Sue Hansen: "Hi, my name is- can you hear me?"

Supervisor Walter: "Yes."

Sue Hansen: "My name is Sue Hansen. I'm from Rocky Point. I'm here to talk about the animal shelter. I just want to make one comment about state inspections. They are not the benchmark of the humane shelter. Make no mistake about that.

They require bare minimum in terms of passing and it's a pass/fail evaluation and you don't want to use that to judge the quality of your own animal shelter.

With regard to the animal shelter, I'd- if possible I'd like to

get some sort of time frame with regard to resolving this Bruno investigation and also Pat Lynch's status as a volunteer."

Supervisor Walter: "I don't know that there is any time frame for an investigation but-- "

Councilman Wooten: "Yeah, no. I'm not sure I can. I can tell you that it's on the top of my desk. In fact, if you look at my desk, you'll see that it's right on top of my desk. We haven't had an executive session as a town board since-- including the investigation, so I'm not going to give you a time frame. But I can tell you that it's going to be post haste, that I can tell you. It will come to a head probably tomorrow after 1:00."

Sue Hansen: "Well, I'm encouraged to hear that. It did occur-- this euthanasia of this particular dog occurred December 21st. It's nearly a month later. I think there's less than a half dozen people that are probably directly involved with it so I don't think that it's an overly complex investigation that needs to occur. And I hope that some resolution is going to come soon.

Aside from that, I recognize that you are headed in the right direction. There's several areas where there's room for improvement at the animal shelter. Veterinary services is definitely one of them but it's not the only one.

With regard to personnel, it's come up in discussion that a director might be considered at the animal shelter which I think would be an excellent decision. It's important to keep in mind though that a director in and of itself is not a panacea for a good shelter. You need a good director, okay. That's the operative word.

You need somebody at the management level that knows how to deal with the different situations that come up in an animal shelter, that knows how to deal with volunteers, that can get the support that they need to run the shelter properly. And should that come to fruition, I hope you'll very carefully select the person that would take on that responsibility.

Which brings up a concern I have about other new hires that I've heard about happening at the animal shelter. Since the end of December, I know that one in particular, one full time employee was laid off and that was Sean McCabe. But since then efforts or some

activity has been underway to hire back part time employees, namely a part time ACO, and a part time kennel attendant."

Supervisor Walter: "Part time ACO and we're looking to an on call kennel attendant, not a part time kennel attendant. Somebody that's on call."

Sue Hansen: "Okay. My question would be was that part time ACO position, was it advertised?"

Supervisor Walter: "Yes. It's being advertised right now."

Sue Hansen: "It's currently open for application?"

Supervisor Walter: "Yes. It may be something that's advertised first in house and then after in house it goes to the outside."

Sue Hansen: "And what are the qualifications?"

Supervisor Walter: "You are going to have to look that up. I don't have that information."

Sue Hansen: "Okay. Well, that's significant."

Supervisor Walter: "I'm not the personnel director."

Councilman Wooten: "It's part of the posting."

Supervisor Walter: "You'd have to just look at the posting."

Councilwoman Giglio: "Is the posting on the board outside?"

Supervisor Walter: "Maybe."

Sue Hansen: "Okay. It's important to recognize though that the ACO position, it's not as important as a director obviously but the ACO is the first person that a dog running at large comes into contact with. And how that animal is handled is going to impact that animal's behavior at the shelter. It's extremely important that you get the right person in that position. Somebody who can handle animals and handle them properly.

It's important to consider their experience and it's important

to consider their qualifications and not just take a person based on some sort of standardized union test."

Supervisor Walter: "We're governed by civil service, Ms. Hansen."

Sue Hansen: "But it's still a judgment call there."

Supervisor Walter: "We're governed by civil service law. We will go through the applications as they come in. We will interview them and a decision will be made."

Sue Hansen: "Right. And you still have a judgment call to make whether that person is the right person for that particular job."

Councilman Wooten: "Well, of course, we're going to pick the best qualified (inaudible)."

Sue Hansen: "Well, I would hope that you would not only pick the best person that applies but I hope you'd pick the right person and if the people that apply are not the right people, that you would take that into consideration."

Supervisor Walter: "We understand your point."

Councilman Wooten: "We are going to take the best qualified. There's no doubt about it."

Sue Hansen: "Okay. And by qualified it goes beyond just passing a civil service test."

Supervisor Walter: "That's what the residents of Riverhead elect us to do with every job that we fill. We take that seriously."

Sue Hansen: "Okay, well, the track record speaks for itself."

Supervisor Walter: "Is excellent. Thank you."

Sue Hansen: "Okay. And that's about it. Thank you for your time."

Supervisor Walter: "Thank you. Does anybody else wish to be

heard tonight? Mr. Romano, again?"

Steve Romano: "Just- I wasn't going to talk about the animal shelter. But is it a town law that we actually have a town operated animal shelter?"

Councilman Wooten: "There has been a municipal shelter in the town of Riverhead for the last 40 something years. Yes."

Steve Romano: "Yeah, but is it by town law that we have to have it?"

Supervisor Walter: "Well, we have to- there's a requirement for us to have an animal control- a dog catcher and when we catch dogs, Ag and Markets requires us to hold the dogs for five days. The town code requires us to hold them for seven days so you need a place to hold them for five or seven days.

What happens after that five or seven days is the discretion of the town."

Steve Romano: "Did we ever consider privatizing or maybe talking to Southold and doing a consolidation kind of thing?"

Councilwoman Giglio: "Yeah, we've been working- "

Supervisor Walter: "Go ahead, take it away."

Steve Romano: "Yes or no, that's all."

Councilman Wooten: "Yes. If you read the paper the last three years, we've tried."

Councilwoman Giglio: "Jim's been working on an RFP trying to get the shelter- "

Councilman Wooten: "Well, we did an RFP."

Councilwoman Giglio: "-- privatized, looking in the direction of doing that."

Supervisor Walter: "Okay. Anybody else wish to be heard? Welll, it's been a wonderful evening. Can I get a motion to adjourn?"

Councilwoman Giglio: "I make a motion to adjourn."

Councilman Wooten: "I want to table that."

Supervisor Walter: "All in favor?"

Collective response: "Aye."

Supervisor Walter: "Thank you everyone."

Meeting adjourned: 8:12 p.m.

Deane M. McCallister
Town Clerk